

positively recited in claim 1, rather than being merely an optional ingredient. Applicant respectfully notes further that all of the claims 1-4, 6 and 8-23 now depend or ultimately depend from claim 1. Applicant therefore respectfully requests that all of the claims be rejoined in the application when claim 1 is allowed.

* * *

With respect to the claimed priority, Applicant respectfully draws attention to the new first paragraph of the present application, which recites the applications from which priority is being claimed. The claim for priority of the Swedish application number 9504505-0, filed 15 December 1995, was perfected in the parent application, as noted in the Office Action Summary of the most-recent Office Action. Applicant notes that this Swedish application was then filed as an International Application, PCT/SE96/01664, with an international filing date of December 16, 1996 (December 15, 1996 being a Sunday). U.S. Pat. Appl. No. 09/093,614, was filed in the U.S. on June 9, 1998, as a continuation of the PCT application, and the present application was filed on January 18, 2000 as a continuation-in-part application of U.S. Pat. Appl. No. 09/093,614.

Applicant respectfully draws attention to the oath/declaration filed in the present application on July 18, 2000, which included a corrected title, and proper reference to each of the documents just cited. If the corrected oath/declaration has not been received and entered by the Office, Applicant respectfully requests that the undersigned be contacted so that the record can be corrected. Applicant respectfully notes that the priority date of the present application, December 15, 1995, predates the Ingemansson *et al.* article, so that the article is overcome as a reference.

* * *

Claims 1 and 5-7 were rejected in the Office Action under 35 U.S.C. § 112, second

paragraph, as being indefinite. Applicant respectfully traverses the rejection and requests reconsideration. Claim 1 has nonetheless been amended to recite "calcium ion." Applicant respectfully submits that the claims of the application now fully comply with 35 U.S.C. § 112, and respectfully requests that the rejection be withdrawn.

* * *

Claim 1 was rejected in the Office Action under 35 U.S.C. § 102(b) as being anticipated by WO 92/18136 or Ingemansson *et al.* Applicant respectfully traverses this rejection and requests reconsideration.

Applicant has noted that the claim for priority of the Swedish application number 9504505-0, filed 15 December 1995, was perfected in the parent application, and that the formalities for claiming priority have been complied with. Applicant therefore respectfully submits that the Ingemansson *et al.* article, published in 1996, is overcome.

It was asserted in the Office Action that claim 1 was drawn to a composition comprising calcium ion, at least one colloid, and optionally nitroglycerin, and that WO 92/18136 discloses a composition comprising Ca^{++} and dextran, citing claim 4. Applicant respectfully notes, however, that claim 1 now positively recites nitroglycerin. Applicant respectfully submits that WO 92/18136 neither teaches nor fairly suggests the claimed invention including calcium ion, at least one colloid osmotically active substance, and nitroglycerin. Applicant therefore respectfully submits that the rejection of claim 1 is overcome, and respectfully requests that the rejection be withdrawn.

Applicants respectfully submit that the outstanding objections and rejections in the Office Action are overcome, and that the application is in condition for allowance. Allowance at the

Examiner's earliest convenience is therefore respectfully requested.

If any fees are due in connection with the filing of this Amendment, such as fees under 37 C.F.R. §§ 1.16 or 1.17, please charge the fees to our Deposit Account No. 02-4300. If an extension of time under 37 C.F.R. § 1.136 is necessary and not accounted for in the papers filed herewith, such an extension is requested. The extension fee should also be charged to Deposit Account No. 02-4300, Order No. 33314WC548931.

Respectfully submitted,
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Marked-up copy of the amended claims:

1. An improved preservation solution for organs and tissues or parts thereof from humans and animals, comprising:

calcium ion,

at least one colloidosmotically active substance, and

[optionally] nitroglycerin.

5. An improved preservation solution for organs and tissues or parts thereof from humans and animals, comprising:

calcium ion,

optionally nitroglycerin, [The improved preservation solution according to claim

1, wherein said solution further comprises]

about 1-15% by weight low-molecular dextran having an average molecular weight of about 1,000 daltons,

about 3-8% by weight high-molecular dextran having an average molecular weight of 40,000 - 120,000 daltons as a [said] colloidosmotically active substance,

about 0.1 - 2.6% glucose as a substrate,

buffer,

about 4-25 mM potassium ions,

about 1-16 mM magnesium ions,

about 50-150 mM sodium ions, and about 50-150 mM

chloride ions,

wherein the amounts are based on the final volume of the improved preservation solution.

21. A method of preserving contractile function in contractile tissue, comprising storing the contractile tissue in the [a] preservation solution according to claim 1, wherein [comprising]:

nitroglycerin is present in an amount of about 10^{-4} - 10^{-7} M; and
calcium ion[s] is present in an amount of about 0.3 - 1.5 mM calcium, based on the final volume of preservation solution.

23. A method for maintaining the integrity of vascular endothelium, comprising storing the contractile tissue in the [a] preservation solution according to claim 1, wherein: [comprising,]

nitroglycerin is present in an amount of about 10^{-4} - 10^{-7} M; and
calcium ion[s] is present in an amount of about 0.3 - 1.5 mM calcium, based on the final volume of preservation solution.

Please add new claims:

--24. A method for preserving organs and tissues or parts thereof from humans and animals, comprising:

flushing an organ or a tissue with, and immersing in, the improved
preservation solution according to claim 5, and

storing said solution containing said organ or tissue at a temperature of
0.5-12°C, preferably 2-8°C, for at most 36 hours for long-term preservation, or at
a temperature of about 4-24°C for at most 2 hours for short-term preservation.

25. The method of preserving organs and tissues or parts thereof from humans or animals
according to claim 24, wherein said tissue comprises blood vessels or parts thereof.

26. The method of preserving organs and tissues or parts thereof from humans or animals
according to claim 24, wherein said tissue is vena sapena magna or parts thereof.

27. The method of preserving organs and tissues or parts thereof from humans or animals
according to claim 24, wherein said organs and tissues comprise lungs.

28. A method of preserving endothelium-dependent relaxation factor function in organs,
tissues and parts thereof, comprising storing said organs, tissues and parts thereof in the improved
preservation solution according to claim 5.

29. A method of preserving contractile function in contractile tissue, comprising
storing the contractile tissue in the improved preservation solution according to claim 5.

30. A method of preserving contractile function in contractile tissue, comprising storing the contractile tissue in the preservation solution according to claim 5, wherein:

nitroglycerin is present in an amount of about 10^{-4} - 10^{-7} M; and

calcium ion is present in an amount of about 0.3 - 1.5 mM calcium, based on the final volume of preservation solution.

31. A method for maintaining the integrity of vascular endothelium, comprising: exposing said organs, tissues and parts thereof to the preservation solution according to claim 5.

32. A method for maintaining the integrity of vascular endothelium, comprising storing the contractile tissue in the preservation solution according to claim 5, wherein:

nitroglycerin is present in an amount of about 10^{-4} - 10^{-7} M; and

calcium ion is present in an amount of about 0.3 - 1.5 mM calcium, based on the final volume of preservation solution.

Marked-up copy of the amended paragraphs:

On page 1 of the application, please insert the following new paragraph, below the title:

“The present application is a continuation-in-part application of U.S. Pat. No. 09/093,614, filed June 9, 1998, incorporated by reference, which in turn is a continuation of International Application PCT/SE96/01664, with an international filing date of December 16, 1996, which in turn claims priority from Swedish application number 9504505-0, filed 15 December 1995.”

On page 1, please delete the second paragraph entirely:

[The present application is a continuation-in-part (CIP) application of the U.S. patent application No. 09/093,614, which is incorporated by reference herein.]